IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

WEDNESDAY, THE 10TH OCTOBER 2007 / 18TH ASWINA 1929

WP(C).No. 29479 of 2007(H)

PETITIONER:

K.P.MUJEEB, ADVOCATE, 41/2984,
SOUTH JANATHA ROAD, PALARIVATTOM,
ERNAKULAM DISTRICT.

BY ADV. SRI.P.K.VIJAYAMOHANAN
SRI.GILBERT GEORGE CORREYA
SRI.NISHIL.P.S.
SRI.SHOJAN JACOB

RESPONDENTS:
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1. THE DIRECTOR GENERAL OF POLICE,
POLICE HEAD QUARTERS,
THIRUVANANTHAPURAM.

2. THE COMMISSIONER OF POLICE,
COCHIN CITY, ERNAKULAM,
COCHIN - 31.

3. MR.NAVAS, SUB INSPECTOR OF POLICE,
PALARIVATTOM POLICE STATION,
PALARIVATTOM, KOCHI - 25.

4. MOHAMMED NIYAS, ZERENE,
EDAPPALLY P.O., ERNAKULAM.

BY ADV. SRI.S.SREEKUMAR
GOVERNMENT PLEADER SRI. P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 29479/2007 H

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE SALE DEED NO. 2886/2007 DT. 7/6/07 OF THE MARADU SUB REGISTRY.

EXT.P2. COPY OF THE LOCATION CERTIFICATE NO. 2154/07 DT. 29/6/07.

EXT.P3. COPY OF THE COMPLAINT DT. 2/10/07 BEFORE THE R1.

EXT.P4. COPY OF THE COMPLAINT FILED BY THE PETITIONER BEFORE THE R2 DT. 2/10/2007.

RESPONDENT'S EXHIBITS **NIL.**

True copy

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K.BALAKRISHNAN NAIR &

T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) NO. 29479 OF 2007-H

Dated 10th October, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioner has approached this Court, alleging that the 3rd respondent S.I of Police is interfering in a civil dispute between him and the 4th respondent. The dispute relates to a pathway. According to the petitioner, there is no such pathway, whereas the 4th respondent asserts that there is a pathway on the western side of the property of the petitioner, which he is entitled to use. The 4th respondent also submits that he has already moved the civil court and there is an order of status quo issued by the said court. In view of the above position, the parties have to settle their dispute through the forum of the civil court. The police have no business to interfere in this dispute.

2. The learned Government Pleader submits that the 3rd respondent happened to call the parties because of the two petitions received by him. Since the matter is now pending before the civil court, the 3rd respondent

will not interfere in the civil dispute. This submission is recorded and the writ petition is disposed of.

K.BALAKRISHNAN NAIR, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

Nm/